



June 14, 2022

Attention: BJ Jones, CEO, BPCA, Martha Gallo, Interim-Chairperson, BPCA, (one of two local resident Governor appointees)

Cc: Senator Brian Kavanaugh, Emily Leung, Assembly Member Yuh-Line Niou, Assembly Member Charles Fall, Council Member Chris Marte, District Leader Vittoria Fariello, CB1 BPC Chair Justine Cuccia, CB1 Chair Tammy Meltzer, CB1 Vice Chair Alice Blank, Vice President of BPC Homeowner's Coalition Michael Waldorf, The Battery Alliance President Daniel Akkerman, The Battery Alliance Vice President John Dellaportas, and Brian Robinson

Dear Martha and BJ:

(We will be forwarding this email to 1,500+ Lower Manhattan residents who have been waiting nearly five years for answers to their questions and requests regarding the Wagner Park Resiliency Project. Also copied are elected officials and community leaders to support us in getting the transparency, accountability and data the public requires. The absence of this information has led to a lack of support from the community and credibility to the process).

We fully support a smart and thoughtful resiliency plan, just not this one.

We are writing, once again, to request a **PAUSE on the Wagner Park project** until the recent State Legislators' two bills are reviewed by Governor Hochul, Governor Hochul gets an opportunity to share her vision and guiding principles for this ~\$1B program, we receive answers to our basic questions and data below, and our request for an independent review has been met.

While this project has been going on for five plus years, the meetings have been predominantly one-way dialogues presenting a summary of top-down decisions to a small segment of the community. Feedback was taken, but answers and responses have still not been provided or meaningfully incorporated. This is culminating with the community feeling outraged and blindsided, quite similar to how the community felt about last year's failed Essential Workers Monument.

Thus, we ask for a pause and request the following:



1.0 Project Justification

The community supports resiliency, but we need smart and thoughtful resiliency. Mayor Bloomberg, UN Special Envoy for Climate, is on record speaking about [how well BPC fared during Sandy because it was built on high ground](#). The real world experience in both Superstorm Sandy and Hurricane Irene proved out the original design principles of Battery Park City (BPC), which was put on high ground so that the BPC neighborhood was protected from coastal flooding. While the community absolutely recognizes and supports the need to implement smart further protection, we should prioritize the most vulnerable areas and communities first.

In total, the resiliency plan is the largest project in the history of BPC and will have the most significant and longest lasting impact on the community since the formation of the Authority 50 years ago.

In contrast to historical community investments, the justification for this project has been made on hypothetical projections and models that have not been independently validated, and the results and assumptions of those models have not been shared with the community.

Instead of open and transparent debate about the data, assumptions and modeling, the community has only been given summary and conclusive information on predicted 100 year flood level estimates. The underlying data and modeling or supporting evidence have been kept under wraps.

We understand that this project's primary purpose is to "protect" BPC from projected increases in coastal flooding and storm surges. As such, the project cost and impact should be independently compared to alternative means of protection.

1.1 ASK: Please provide the actual data, assumptions and models that were used to justify this project's scale and scope including any sensitivity or regression analysis used to validate your models.

1.2 ASK: Please provide information on the source of the model, reviews of the model including information regarding alternative expert interpretation of real world data, and predictive modeling.



2.0 Project Design

Any project of this scale and impact requires consideration of real alternatives with a detailed analysis of pros and cons as well as economic and community impact. This information should also be part of a robust two-way community discussion, not a one-way dialogue. To date, there have been no meaningful alternatives provided with enough detail to assess them. Instead, we have seen that nearly all analysis is used to justify the current plan.

2.1 ASK: Please provide all information on alternative proposals considered, any analysis on those proposals, and the rationale for the selection of the current plan.

2.2 ASK: Please provide a detailed report and detailed data models (in an Excel file or with software access) so that our community can understand and engage with the data, come up with questions and prompt answers from the BPCA. Please include all information on any damage sustained by BPCA buildings, structures and parks during both Superstorm Sandy and Hurricane Irene.

2.3 ASK: Please provide information regarding the impact of the BPC resiliency projects on all adjacent areas throughout Lower Manhattan. For example, we would like to see the impact to Tribeca and FiDi specifically, if we make high ground higher under different storm scenarios.

2.4 ASK: Please provide information regarding analysis and estimates on alternative protection schemes, including but not limited to the protection methods used by other commercial and public infrastructure throughout Lower Manhattan.

2.5 ASK: Please provide information regarding discussions with commercial, private or public property owners regarding the needs, methods, and costs that this protection plan and the alternatives presented.

2.6 ASK: Please provide the **final** design plans including architectural diagrams with measurements. The images in the postcards are different from the online version, which is different from the PowerPoints, which is different from the 3D model, etc.

2.7 ASK: Please provide any information on the decision to demolish the existing pavilion as well as the rationale for replacing and increasing the scale of a new structure, plus any information regarding solicitation for community input into the use, scale and design of the replacement structure.



3.0 Usable Green Space Measurements

Lower Manhattan has a shortage of green spaces. Resiliency projects should be used to increase green spaces, preserve old growth trees and prioritize green over concrete.

3.1 ASK: Please provide a detailed diagram of the final design plan with measurements and square footage on each subsection where there is green grass in your image. In addition, we would like to see this on the image posted on your signs.

3.2 ASK: Similarly, please take a diagram from the same angle of the existing Wagner Park and write the measurements and square footage on each green space. If we are spending hundreds of millions of dollars on development, we expect significantly more usable green space than our current amount.

4.0 Environmental Impacts

The Draft Environmental Impact Study does not adequately address all of the environmental impacts of this project. Examples of what's missing include details on the potential toxins such as lead and mercury detected in soil samples, impacts on migration patterns of animals, destruction of mature trees, and more.

4.1 ASK: Please provide a more comprehensive and independent review of the environmental impacts associated with this project including more sampling and details on soil quality to ensure the safety of the kids at the nearby school, community and animals that use this park.

5.0 Project Timing

Project timing is unclear. Your postcard mailer and signs around the neighborhood tell us Wagner Park will be closed for two years, yet your recent RFP for signs posted on the Wagner construction fence indicate three years.

Project timing is also out of sync with other major projects impacting the green spaces of the Lower Manhattan community. Most notably, the LESCCRP has taken the majority of Lower Manhattan's east side green space out of service for years. This impacts all lower Manhattan residents, including our local soccer and little leagues, and puts additional pressure on the existing space to remain in service until the East River Park project has been completed.



5.1 ASK: Please provide all information regarding discussions, analysis and determination of coordination with other resiliency projects under way or consideration. Specifically projects such as the LESC RP, that impact the entire Lower Manhattan community.

5.2 ASK: Please provide an answer to the simple question of how long Wagner Park will be closed along with the best case and worst case scenarios for project completion.

5.3 ASK: Please provide details on when any part of the park is scheduled to be closed to the public leading up to full park closure.

5.4 ASK: Please share the permits if you have filed them, or please confirm you will share them the same day you file them.

6.0 Project Funding

We have attended hours upon hours of meetings, watched hours of videos, and read thousands of pages of documentation. In a meeting in 2016, a resident asked for details on the funding for the project. To date, nothing material has been provided beyond a summary.

6.1 ASK: Please provide a **detailed** description of sources and uses of funds for the entire ~\$1B project (Excel file). This information should include sources, assumptions and use of funds for each phase of the project, with details on how much of the project is currently funded versus how much is unfunded.

7.0 Federal Funding

Your FOIL office confirmed there have been no Federal grant applications submitted.

7.1 ASK: Please provide explanations as to **why no Federal Funding was sought** given that the U.S. Senate Majority Leader is our very own hometown Senator Chuck Schumer who recently led the passage of a \$1.9 trillion dollar infrastructure plan. Additionally, please provide what, if any, requests for funding from any city or state agency were pursued.



8.0 Community Feedback

Over the course of the last five years, the community and Community Board 1 have provided feedback and asked questions including all the above and more. The residents want to know what happened to their feedback given much of it has not been meaningfully actioned.

8.1 ASK: Please provide an accounting of all feedback submitted by the community during five years of meetings and in hundreds of emails. Please provide access to those documents, broken down by meeting and source.

8.2 ASK: Please share the specific responses to community feedback received by BPCA from its engineers, AECOM, and other parties. Your response should include whether a community member's feedback item was marked "resolved," "incorporated" and/or "ignored." These responses would be important in educating the public, providing basic transparency, and reassuring the public that their voices were heard.

In the absence of providing this detailed reconciliation, the project lacks credibility and only demonstrates "engagement" as one way, top-down communication. We have asked for this information in CB1 meetings that BPCA has attended, and we understand CB1 has also asked for this detailed resolution/inclusion of ideas and feedback.

8.3 ASK: Please explain why your documents indicate that your decision to expand commercial space over greenspace was based on 31 survey respondents. Please break down how many of these 31 respondents from five years ago were BPC residents. Additionally, please provide all information collected in regards to a community needs assessment prior to design consideration, including surveys, focus groups, envisioning sessions or other community outreach efforts.

For ease, you are welcome to create a community share drive with all your project files, design plans, etc. so community members can access them using the numbering system above.



We are confident that you already have this information as it is all information that you would already be using or have used for a ~\$1B project of such local and national importance. Sharing this information transparently can also set this project as the leading global example of a public benefit corporation serving the public for the public benefit.

Sincerely,

Battery Park City Neighborhood Association